

REMARKS

Claims 1-14 have been examined. Claims 1 and 14 have been rejected under 35 U.S.C. § 102(e), and claims 2-13 have been rejected under 35 U.S.C. § 103(a).

I. Preliminary matters

A. Objection to the specification

The Examiner has objected to the specification because some adjacent words are spaced too close together. Applicants submit herewith a substitute specification that addresses the Examiner's concern. In addition, the substitute specification differs from the original specification only with respect to formatting. Since the wording of the substitute specification is identical to the wording of the original specification, the substitute specification clearly does not contain any new matter.

B. Objection to the claims

The Examiner has objected to claims 3 and 13 because they contain minor typographical errors. Applicants have amended the claims to correct such errors, and such amendments clearly do not change the scope of the claims.

II. Rejection under 35 U.S.C. § 102(e) over U.S.P. 6,574,489 to Uriya ("Uriya")

Claims 1 and 14 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Uriya. Applicants submit that the claims are patentable over the references.

A. Claim 1

Claim 1 relates to an apparatus that comprises a control unit that generates a driving signal from an audio signal. Also, the vibration control unit causes a vibration notification unit to vibrate according to the driving signal.

On the other hand, Uriya does not disclose or suggest the features above. For example, Figs. 7 and 8 show a telephone that comprises a control circuit 60 that outputs an activation signal S1 to a sound control circuit 51. (Column 6, lines 59-62, and column 8, lines 48-49). The sound control circuit 51 stores an incoming call sound A, a stop-and-start pattern A, and a sound volume A (in advance) and stores an incoming call sound B, a stop-and-start pattern B, and a sound volume B (in advance). (Fig. 10 and column 8, lines 44-48).

When the activation signal S1 indicates that the telephone is operating in mode 1, the sound control circuit 51 causes the speaker 41 to output the incoming call sound A (at the volume A and with the start-and-stop pattern A). On the other hand, when the activation signal S1 indicates that the telephone is operating in mode 2, the sound control circuit 51 causes the speaker 41 to output the incoming call sound B (at the volume B and with the start-and-stop pattern B). (Column 6, line 65, to column 7, line 1, and column 8, lines 48-51).

Also, the control circuit 60 outputs an activation signal S3 to the vibrator control circuit 53. (Column 6, lines 59-62, and column 8, lines 59-65). The vibrator control circuit 53 stores a start-and-stop pattern A and an RPM A (in advance) and stores a start-and-stop pattern B and an RPM B (in advance) (Fig. 10, column 7, lines 4-7, and column 8, lines 59-65).

When the activation signal S3 indicates that the telephone is operating in mode 1, the vibrator control circuit 53 causes the vibrator 43 to vibrate in accordance with the start-and-stop pattern A and at the RPM A. On the other hand, when the activation signal S3 indicates

that the telephone is operating in mode 2, the vibrator control circuit 53 causes the vibrator 43 to vibrate in accordance with the start-and-stop pattern A and at the RPM A. (Fig. 10, column 7, lines 4-7, and column 8, lines 59-65).

As clearly disclosed in the reference, the activation signal S1 merely identifies whether or not the sound control circuit 51 should output the preset incoming call sound A or B. Thus, the activation signal S1 does not comprise an audio signal. Also, the activation signal S3 merely identifies whether or not the vibrator control circuit 53 should output the preset vibration pattern A or B (i.e. (1) the start-and-stop pattern A at the RPM A or (2) the start-and-stop pattern B at the RPM B). Thus, the activation signal S3 does not comprise an audio signal.

Accordingly, Uriya does not suggest a control unit that generates a driving signal from an audio signal. Thus, for at least such reasons, Applicants submit that claim 1 is patentable over the cited reference.

On page 3 of the Office Action, the Examiner asserts that column 2, lines 36-48, suggests a control unit that generates a driving signal from an audio signal, but Applicants respectfully disagree. The cited portion of the reference reads as follows:

and a control unit for controlling the operation of the plurality of receivers and incoming call notifying unit, detecting the receiver that has received a call signal, and controlling the expressing means of the incoming call notifying unit in accordance with the communication mode set in the receiver.

In addition, the control unit may also switch the operations of each of the plurality of receivers at a predetermined timing and switch the communication modes of the expressing means of the incoming call notifying units in synchronization with the timing of receiver switching; or may set the incoming call notifying unit to the mode for each communication system after the passage of a fixed time interval after switching the operations of the plurality of receivers.

Such disclosure merely states that a control unit (i.e. control circuit 60 shown in Fig. 7) controls a plurality of receivers (i.e. telephones 74-1 and 74-2). Also, the control circuit 60

controls an expressing means (i.e. speaker 141, display 142, or vibrator 143) of the incoming call notifying unit in accordance with the communication mode (i.e. the mode 1 or mode 2) set in the telephone 74-1 or 74-2.

In addition, the control circuit 60 may also switch the operations of the receivers 74-1 and 74-2 at a predetermined timing. Such a switching operation is described in conjunction with Fig. 4. Specifically, as shown in the figure, in the PDC mode, a signal (having a width of 6.7 ms) is transmitted from a base station every 720 ms. (Column 5, lines 46-50). On the other hand, in the PHS mode, a signal (having a width of 625 μ s) is transmitted from a base station every 1.2 seconds. (Column 5, lines 54-57).

The control circuit 60 outputs a receiver selecting signal to the switch 31 to switch the switch 31 every 720 ms such that the mode 2 receiver 21b receives the signal in the PDC mode. (Column 5, lines 51-53). On the other hand, the control circuit 60 switches the switch 31 every 1.2s such that the mode 1 receiver 21a receives the signal in the PHS mode. (Column 5, lines 57-60). In other words, the control circuit 60 switches the operations of the receiver 74-1 or 74-2 at a predetermined timing (i.e. every 720 ms or every 1.2 seconds).

Furthermore, the control circuit 60 may switch the communication modes of the expressing means (i.e. speaker 141, display 142, or vibrator 143) (as described above) so that (1) the speaker 141 outputs an incoming call sound A in the PHS mode (i.e. the mode 1) or an incoming call signal B in the PDC mode (i.e. the mode 2) and (2) the vibrator 143 vibrates in accordance with the pattern A and RPM A in the PHS mode (i.e. the mode 1) or the pattern B and RPM B in the PDC mode (i.e. the mode 2). (Column 7, line 58, to column 8, line 26). In other words, the control circuit 60 switches the communication modes of the expressing means 141-143 of the incoming call notifying units in synchronization with the timing of switching the operational mode (i.e. PHS mode or PDC mode) of the receiver 74-1 or 74-2.

Finally, the control circuit 60 may set the incoming call notifying unit to the mode for each communication system (i.e. the PHS mode or the PDC mode) after the passage of a fixed time interval after switching the operations of the plurality of receivers 74-1 and 74-2. (Column 11, lines 34-44).

In light of the discussion above, the portion of Uriya that the Examiner cites clearly does not suggest a control unit that generates a driving signal from an audio signal. Accordingly, Applicants submit that claim 1 is patentable.

B. Claim 14

Since claim 14 depends upon claim 1, Applicants submit that it is patentable at least by virtue of its dependency.

III. Rejection under 35 U.S.C. § 103(a) over Uriya and U.S.P. 6,070,053 to Yamashita (“Yamashita”)

Claims 2 and 10-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Uriya in view of Yamashita. Applicants submit that the claims are patentable over the cited references.

A. Claim 2

Applicants submit that claim 2 is patentable over the cited references. For example, as discussed above, base claim 1 states that a control unit that generates a driving signal, which is used to vibrate the vibration control unit, from an audio signal. Also, claim 2 states that the audio signal is music. Thus, claim 2 requires the control unit to generate the driving signal from the music.

The Examiner seems to contend that the incoming call sound A or B disclosed in Uriya corresponds to the claimed audio signal and that column 14, lines 26-29, of the reference teaches that the incoming call sound A or B can be music. Even assuming *arguendo* that the incoming call sound is music, Applicants submit that the Uriya does not suggest the audio signal recited in claim 2. As discussed above, the incoming call sound A or B, which is stored in the sound control circuit 51, is preset (column 8, lines 39-40). Also, the signal used to drive the vibrator controller 153 or the vibrator 143 is not generated from the incoming call sound A or B.

Accordingly, Uriya does not teach a control unit that generates a driving signal (for driving a vibration notification unit) from music (e.g. an incoming call sound). Also, while Fig. 1 of Yamashita teaches a music data reproducing section 34, it does not suggest generating a driving signal (for driving a vibration notification unit) from music.

In light of the discussion above, Applicants submit that claim 2 is patentable over the cited references.

B. Claims 10-13

Since claims 10-13 directly or indirectly depend upon claim 2, Applicants submit that they are patentable at least by virtue of their dependency.

IV. Rejection under 35 U.S.C. § 103(a) over Uriya, Yamashita, and U.S.P. 6,259,935 to Saiki et al. ("Saiki")

Claims 3 and 6-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Uriya and Yamashita (as applied to claim 2) and further in view of Saiki. Since claims 3 and 6-8 depend upon claim 2 and since Saiki does not cure the deficient teachings of Uriya

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and Yamashita with respect to claim 2, Applicants submit that claims 3 and 6-8 are patentable at least by virtue of their dependency.

V. Rejection under 35 U.S.C. § 103(a) Uriya, Yamashita, U.S.P. 6,662,022 to Kanamori et al. (“Kanamori”), and U.S.P. 6,195,571 to Osuge (“Osuge”)

Claim 9 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Uriya, Yamashita, Kanamori, and Osuge. Since claim 9 depends upon claim 8 and since Kanamori and Osuge do not cure the deficient teachings of Uriya and Yamashita with respect to claim 8, Applicants submit that claim 9 is patentable at least by virtue of its dependency.

VI. Rejection under 35 U.S.C. § 103(a) over Uriya, Yamashita, and Kanamori

Claims 4 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Uriya and Yamashita (as applied to claim 1) and further in view of Kanamori. Since claims 4 and 5 depend upon claim 2 and since Kanamori does not cure the deficient teachings of Uriya and Yamashita with respect to claim 2, Applicants submit that claims 4 and 5 are patentable at least by virtue of their dependency.

VII. Newly added claims

Applicants have added new claims 15-26 to provide more varied protection for the invention.

VIII. Conclusion

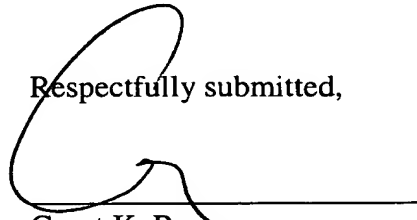
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue

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which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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